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APPLICANT(S): IDAN, Gavriel J. et al.
SERIAL NO.: 10/519,918
FILED: January 3, 2005
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REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1-4, 6-8, 10, 12, 27, 30, 37 and 38 are pending in the application.

Claims 1-4, 6-8, 10, 12, 27, 30, 37 and 38 have been rejected.

Claims 12, 30, 37 and 38 have been amended.

Claims 1-4, 6-8 and 10 have been canceled without prejudice or disclaimer. In making this cancellation without prejudice, Applicants reserve all rights in these claims to file divisional and/or continuation patent applications.

New claims 39-47 have been added in order to further define what the Applicants consider to be the invention. Applicants respectfully assert that no new matter has been added.

Applicants respectfully assert that the amendments to the claims add no new matter.

CLAIM REJECTIONS**35 U.S.C. § 102 Rejections**

In the Office Action, the Examiner rejected claims 8, 10, 12, 37 and 38 under 35 U.S.C. § 102(e), as being anticipated by Yoon (US Patent No. 6,419,626). Applicants respectfully traverse this rejection in view of the remarks that follow. Applicants note that

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claims 8 and 10 have been canceled without prejudice or disclaimer, and their rejection is moot.

Yoon discloses a surgical endoscope including an image sensor and a physical parameters sensor, both integrated on the same chip.

However, Yoon does not disclose a "swallowable imaging device for collecting in vivo images and in vivo pressure data, said device comprising: a housing including an optical dome, a shell, and a pliant sleeve surrounding said shell, said pliant sleeve defining a space between the shell and the pliant sleeve, said space being filled with a fluid; an imaging system enclosed in said housing behind said optical dome; and a pressure gauge in contact with the fluid in said space between the shell and the pliant sleeve" as recited in claim 39.

Accordingly, independent claim 39 is allowable over the Yoon reference.

Claims 12 and 37 depend from claim 39, and therefore include all the limitations of this claim. At least for these reasons, claims 12 and 37 are likewise allowable. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections under 35 U.S.C. § 102(e) to claims 12 and 37.

Regarding claim 38, Yoon does not disclose a "method for collecting and displaying in-vivo data from a GI tract, the method comprising: measuring in the GI tract hydrostatic pressure in a pliant sleeve filled with fluid surrounding a shell of a swallowable imaging device; collecting image data by said swallowable imaging device to produce an image of the GI tract; and simultaneously displaying in-vivo pressure data and said image", as recited in claim 38. Accordingly, independent claim 38 is allowable over the Yoon reference, and Applicants respectfully request that the Examiner withdraw the rejections under 35 U.S.C. § 102(e) to claim 38.

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 1-4, 6, 7 and 10 under 35 U.S.C. § 103(a), as being unpatentable over Yoon in view of Esashi et al. (US Patent Application Publication No. 2002/0162399). Applicants note that claims 1-4 and 6 have been canceled without prejudice or disclaimer, and their rejection is moot.

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In any event, Yoon and Esashi taken together do not teach or disclose the teachings of independent claims 37 or 39.

In the Office Action, the Examiner rejected claims 27 and 30 under 35 U.S.C. § 103(a), as being unpatentable over Yoon in view of D'Andrea et al. (US Patent Application Publication No. 2003/0191430). Applicants respectfully traverse this rejection in view of the remarks that follow.

Claim 27 depends from new claim 39, and therefore includes all the limitations of that claim. The D'Andrea reference does not overcome the deficiencies discussed above with respect to claim 39. Accordingly, Yoon and D'Andrea taken together do not render obvious claim 27. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections under 35 U.S.C. § 103(a) to claim 27.

Claim 30 depends from new claim 38, and therefore includes all the limitations of this claim. The D'Andrea reference does not overcome the deficiencies discussed above with respect to claim 38. Accordingly, Yoon and D'Andrea taken together do not render obvious claim 30. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections under 35 U.S.C. § 103(a) to claim 30.

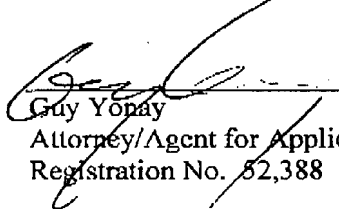
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In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,


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